

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RUMILLO TORRES,)
)
 Plaintiff,) Civil Action No. 08-98J
)
 v.) Judge Gibson
) Magistrate Judge Bissoon
DEPARTMENT OF CORRECTIONS,)
 et al.,)
)
 Defendants.)

MEMORANDUM ORDER

Rumillo Torres's civil rights complaint was received by this Court on April 22, 2008, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The case was later assigned to Magistrate Judge Cathy Bissoon.

The Magistrate Judge's Report and Recommendation, filed on April 21, 2009, recommended that the Defendants' Motion to Dismiss (Doc. 21) be granted. The parties were allowed ten days from the date of service to file objections. Torres filed objections on May 5, 2009 (Doc. 37), which merely restate arguments already addressed in the Report.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 12th day of May, 2009,

IT IS HEREBY ORDERED that the Motion to Dismiss filed by the Defendants (Doc. 21) is GRANTED.

The Report and Recommendation of Magistrate Judge Bissoon (Doc. 35), dated April 21, 2009, is adopted as the opinion of the court. The Clerk is directed to mark the case CLOSED.



Kim R. Gibson
U.S. District Court Judge

cc:
RUMILLIO TORRES
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